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OFFICE OF PETITIONS

In re Application of :
Savoie et al. : DECISION GRANTING
Application No. 09/844,970- : PETITION
Filed: 27 April, 2001 :
Attorney Docket No. P-3032.01(UTI) :

This is a decision on the petition filed on 3 August, 2001, which is treated as a petition under 37 CFR 1.10(c) requesting that the above-identified application be accorded a filing date of 27 April, 2001, rather than the presently accorded filing date of 29 April, 2001.

The petition is GRANTED.

Petitioner alleges that the application was deposited in Express Mail service on 27 April, 2001. In support, on 3 August, 2001, petitioner supplied a copy of Express Mail Label No. EL548126105US (the same Express Mail number found on the itemized transmittal sheet accompanying the original application papers located in the official file). The "date-in" on the Express Mail Label, however, appears to be "04/29/01". The Express Mail label also contains an official USPS postmark, however, dated 27 April, 2001.

In view of the above, the petition is granted. The petition fee of \$130.00 will be refunded to counsel's deposit account, No. 07-2400.

The application is being forwarded to the Office of Initial Patent Examination for correction of the filing date to **27 April, 2001**. Thereafter, the application will be forwarded to Technology Center 2100 for examination in due course.

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6918.

Douglas I. Wood
Senior Petitions Attorney
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